

**DECLARATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "**Transcription Factors Related to TFIIA**", the Specification of which:

X is attached hereto.  
— was filed on as Application Serial No. .

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIOR FOREIGN APPLICATION(S)**

Priority				<u>Claimed</u>
				Yes/No
_____	_____	_____	_____	
(Number)	(Country)	(Date Filed)		
_____	_____	_____	_____	Yes/No
(Number)	(Country)	(Date Filed)		

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:


\_\_\_\_\_  
(Application Serial No.) (Filing Date) (Status)

\_\_\_\_\_  
(Application Serial No.) (Filing Date) (Status)

I hereby direct that all correspondence and telephone calls be addressed to Daniel F. Perez, Gardere & Wynne, L.L.P., 1601 Elm Street, Suite 3000, Dallas, Texas 75201-4761, (214)999-3000.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Jeff L. DeJong  
(First) (Initial) (Last)

Inventor's Signature: 

Date: 8/20/99 Country of Citizenship: USA

Residence Address: 534 Newberry Drive, Richardson, Texas 75080

Post Office Address: \_\_\_\_\_  
(if different from  
residence address) \_\_\_\_\_

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	
Jeff DeJong	§	
	§	Examiner:
Serial No.:	§	
	§	Group Art Unit:
Filed: Concurrently herewith	§	
	§	Atty. Dkt: 119941-1053
For: Transcription Factors Related to TFIIA	§	

**ELECTION UNDER 37 C.F.R. §§ 3.71 and 3.73  
AND POWER OF ATTORNEY**

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints Daniel F. Perez, Reg. No. 33, 755; Sanford E. Warren, Jr. Reg. No. 33,219; Philip G. Meyers, Reg. No. 30,478; John W. Montgomery, Reg. No. 31,124; Kay Lyn Schwartz, Reg. No. 39,020; Theodore F. Shiells, Reg. No. 31,569; Lawrence R. Watson, Reg. No. 31,891; Edwin S. Flores (Reg. No. 38,453); each an attorney or agent of the firm of GARDERE & WYNNE, L.L.P., as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

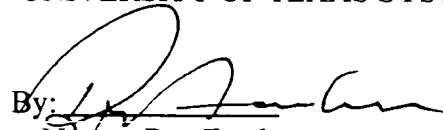
Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Board of Regents, The University of Texas System, referenced below, and certifies that to the best of my knowledge and belief, title remains intact.

Please direct all communications as follows:

Daniel F. Perez, Esq.  
GARDERE & WYNNE, L.L.P.  
3000 Thanksgiving Tower  
1601 Elm Street  
Dallas, Texas 75201-4761

ASSIGNEE:

BOARD OF REGENTS, THE  
UNIVERSITY OF TEXAS SYSTEM

By: 

Name: Ray Farabee

Title: Vice Chancellor

and General Counsel

Date: May 27, 1999

ASSIGNMENT:

☒ Concurrently filed  
☐ Previously recorded  
Date: ☐  
Reel: ☐  
Frames: ☐

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Jeff DeJong

Serial No.:

Filed: Concurrently herewith

For: Transcription Factors Related to TFIIA

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Examiner:

Group Art Unit:

Atty. Dkt.: 119941-1053

**DECLARATION CLAIMING SMALL ENTITY STATUS**  
**37 C.F.R. §§ 1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION**

Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: Board of Regents  
The University of Texas System

Address of Organization: 201 West 7th Street  
Austin, Texas 78701

The type of organization is a university.

I hereby declare that the organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) (1), and thus is a "small entity" as defined in § 1.9(f), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, with regard to the above-referenced application.

I hereby declare that exclusive rights to the invention have been conveyed to and remain with the University of Texas System, a nonprofit organization, and that the University of Texas System has not, and will not, convey the invention to any person who could not be classified as an independent inventor under 35 U.S.C. § 102(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 35 U.S.C. § 102(b)(2).

under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e), with the exception that the Government may have rights in the invention pursuant to a funding agreement under 35 U.S.C. § 202(c)(4):

NONE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

BOARD OF REGENTS,  
THE UNIVERSITY OF TEXAS SYSTEM

By: 

Name: Ray Farabee

Title: Vice Chancellor

and General Counsel

Date: May 27, 1999

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